

THE HON'BLE SRI JUSTICE N.V. RAMANA

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Writ Petition No. 22909 of 2006

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Date: 22.03.2007

Between:

B. Nagaiah and others.

..... PETITIONERS

AND

The General Manager, Telecom District,
BSNL, Srikakulam and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 22909 of 2006

Order:

Questioning the action of the respondents-BSNL in not re-engaging the petitioners and engaging fresh candidates as casual labour, the present writ petition is filed.

Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondents-BSNL.

By this writ petition, the petitioners are seeking to re-engage them as casual labour on the ground that earlier they worked as casual labour for some time in the respondents-Organisation. Their further case is that some of the juniors and freshers are engaged as casual labour and their case was denied. The issues, raised in this writ petition, namely, whether the petitioners earlier worked as casual labour in the respondents-Organisation, and if so, whether they are eligible for re-engagement as casual labour or not, and whether some of the juniors and freshers are engaged as casual labour by denying the cases of the petitioners, are all disputed questions of fact, which can be decided only after adducing evidence by the parties, and this Court, in exercise of jurisdiction under Article 226 of the Constitution of India, cannot decide the same based on the averments made in the writ affidavit.

The writ petition is devoid of merit and the same is accordingly dismissed. However, the petitioners are at liberty to approach the appropriate forum provided under law. No costs.

N.V. RAMANA, J.

Date: 22.03.2007

Nsr/Sj